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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT AND TRADEMARK
OFFICE

705 AUG 19 11 5 26

Applicant: Cali St. John
Title: BUSINESS METHOD FOR INDICIA WITH SANITARY
BEVERAGE CAN
Serial No: 09/637,242
Filing Date: August 14, 2000
Atty Docket No: 946-5

REFUND REQUEST

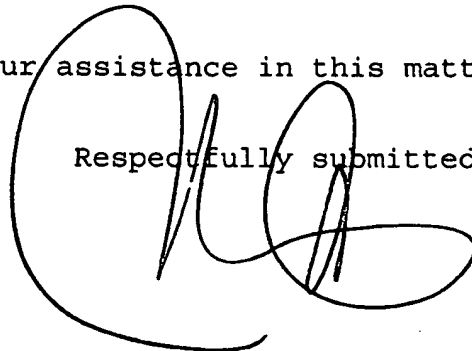
Office of Finance
Refund Section
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

In response to Karen Creasy's letter dated July 20, 2005, we respectfully request a refund of the fee for \$510 extension of time. A copy of the Office Action is enclosed. Please make check payable to Robert J. Van Der Wall, P.A., Trust Account.

Thank you for your assistance in this matter.

Respectfully submitted,



ROBERT J. VAN DER WALL, P.A.
Attorney for Applicant
Registration No. 28,125

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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ROBERT J. VAN DER WALL
GABLES ONE TOWER
1320 SOUTH DIXIE HIGHWAY
SUITE 1275
CORAL GABLES FL 33146-2926

COPY MAILED

JUL 20 2005

9/20/05 *re*

OFFICE OF PETITIONS

In re Application of
Cali St. John
Application No. 09/637,242
Filed: August 14, 2000
Attorney Docket No. 946-5

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed May 9, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The two-month period for filing the Appeal Brief under 37 CFR 41.37(a)(1), accompanied by the fee set forth in 37 CFR 41.20(b)(2), runs from the date of this decision.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$510 extension of time submitted with the petition on May 9, 2005 was subsequent to the maximum extendable period for reply, petitioner may request a refund of this fee by writing to the Office of Finance, Refund Section. A copy of this decision should accompany petitioner's request.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

This matter is being referred to Technology Center AU 1733.

Karen Creasy

Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

PATENT ASSISTANCE
DIVISION

2005 AUG 15 11 15 26

Applicant: Cali St. John

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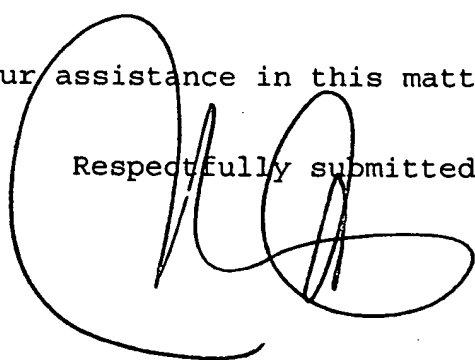
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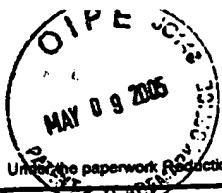
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ROBERT J. VAN DER WALL, P.A.
Attorney for Applicant
Registration No. 28,125



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PTO/SB/22 (12-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

FY 2005

(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)

Docket Number (Optional)

946-5

Application Number **09/637,242**

Filed **AUGUST 14, 2000**

For **BUSINESS METHOD FOR INDICIA WITH SANITARY BEVERAGE CAN**

Art Unit **1733**

Examiner **JESSICA L. ROSSI**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ <u>510</u>
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____

☒ Applicant claims small entity status. See 37 CFR 1.27.

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number _____ I have enclosed a duplicate copy of this sheet.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

☒ attorney or agent of record. Registration Number 28,125

☐ attorney or agent under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 _____

ROBERT J. VAN DER WALL

Typed or printed name

(305) 358-6000

Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

05/11/2005 RHEBRAHT 00000007 09637242

03 EC:2253

510.00 OP

Adjustment date: 10/11/2005 SDIRETA1

05/11/2005 RHEBRAHT 00000007 09637242

03 FC:2253

-510.00 OP

Refund Ref: 10/11/2005 SDIRETA1 0000148067 NE

CHECK Refund Total: \$510.00

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

[Signature]
Signature

5/4/05
Date

ROBERT J. VAN DER WALL
Typed or printed name

28,125
Registration Number, if applicable

1320 SOUTH DIXIE HIGHWAY, SUITE 1275
Address

(305) 358-6000

Telephone Number

CORAL GABLES, FLORIDA 33146
Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: PETITION FOR EXTENSION OF TIME PURSUANT TO 37CFR1.136 (a)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

5/04/05
Date

[Signature]
Signature

ROBERT J. VAN DER WALL

Typed or printed name of person signing certificate